THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No. 11918 of 2006

Dated: 20.09.2006

Between:

Rajender Omprakash Sharma, S/o O.P. Sharma, aged 48 years, Occ: Business and others.

....
PETITIONERS

AND

Municipal Corporation of Hyderabad, rep. by its Commissioner, having Head Office at Tank Bund, Basheerbagh, Hyderabad.

.....RESPONDENT

THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No. 11918 of 2006

ORDER:

This writ petition is filed for a Writ of Mandamus declaring the threat of demolition on 21.05.2006 in respect of the property bearing Municipal Nos. 6-3-883/2/3, 883/4, 883/4/A, 883/4/B and 6-3-883/1/A in Survey No. 177, situated at Punjagutta, Hyderabad, as arbitrary, illegal and violative of Article 14 of the Constitution of India and pass such other suitable orders.

This Court, on 16.06.2006, ordered notice before admission and granted *status quo* for a limited period, which is being extended from time to time.

Several factual aspects had been narrated in the affidavit filed in support of the writ petition. The main grievance ventilated by the writ petitioners is that the respondent-Municipal Corporation, without following due process of law and without paying any compensation for the land in question in accordance with law, is threatening to demolish their property for road widening. It is needless to say that when the respondent-Municipal Corporation intends to proceed with the demolition activity, it is bound to follow the due process of law.

In view of the same, this Court is of the opinion that the writ petition be disposed of with a direction to the respondent-Municipal Corporation not to resort to the demolition activity of the subject matter of the writ petition, without following the due process of law, if such procedure had not already been followed.

Accordingly, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J.

Date: 20.09.2006
Note:
Issue CC in three days
(B/O)
Nsr